

Remarks

The present response is to the Office Action mailed the above-referenced case on October 27, 2005. Claims 1-13 are presented for examination. The Examiner objects to the drawings under 37 CFR 1.83(a). Claims 11-13 are rejected under 35 U.S.C. 112, first paragraph. Claims 1-10 are rejected under 35 U.S.C. 112, first paragraph. Apparently, there are no rejections made as to the merit of the claims.

Applicant is confused as to the 112 rejections. The Examiner states on page 3 of the Office Action that claims 11-13 are rejected giving explanations and reasoning immediately following. The Examiner also states on page 4 that claims 1-10 are rejected giving the exact same reasoning, word for word as provided for claims 11-13. For the sake of the present response, applicant considers the rejection of claims 1-10 on page 4 to be legitimate, and the rejection of claims 11-13 to be an error.

In response to the Examiner's rejections and statements, applicant herein makes minor amendments to the claims and specification to correct wording. Applicant herein provides argument to clearly show that all of the claimed subject matter of applicant's invention is shown in the drawings, as amended, and taught in the specification, as amended.

Applicant points out that the subject matter of the claims the Examiner states are not shown in the drawings is the same subject matter the Examiner rejects in the claims as not being taught in the specification. Applicant herein argues the 112 rejections pointing out where the subject matter of the claims is taught in the specification and shown in the drawings.

The Examiner states that; "The specification of the present application does not support the stopper assembly comprises an elastic enclosure recited in lines 3-6 (in figs. 2A, 7A and 7B), and also having a retention housing and turning nut recited in lines 7-12 of claims 1, and the limitations of claims 4-8.

In regard to claim 9-13, the specification of the present application does not support a method for sealing a vessel comprising a screw term (stem) body being

separated by the plastic enclosure from any contents of the vessel to be sealed and also having a retention housing, a turning nut and a stop nut as claimed."

Applicant herein cancels dependent claim 13 to remove the "stop nut" limitation, as the Examiner is correct. At this time there is no representation of the stop nut in the drawings. Applicant also amends claims 1 and 9 to conform the limitation language to better match the specification in an attempt to overcome the 112 rejection. Claims 1 and 9 now recite "a threaded portion of the screw stem body" and "an elastic enclosure" in lieu of a plastic enclosure.

Applicant argues that the "elastic enclosure" is first taught on page 7, line 16, as a sleeve 102 (Fig. 1) made of an elastic rubber-like material. It is later described as a socket made of a rubber-like material 205 (Fig 2A). It is also described in several more places in applicant's specification and drawings. Applicant argues that the limitation in claims 1 and 9 of an "elastic enclosure" is clearly taught in the specification and claims as shown.

Regarding the limitation of a "retention housing" applicant herein amends the specification to include element number 409 in Fig. 4B, as well as providing an amended Figure 4B also showing the element 409 representing the retention housing assembly. Applicant believes the amendment to the specification and drawing 4B should overcome the 112 rejection for this limitation.

Applicant argues that the limitation of a "turning nut" is described in numerous places in the specification, given element number 600 in Fig. 6A. Therefore, the 112 rejection of this limitation is baseless.

Applicant argues that the arguments above also apply to claims 9-13 having the same limitations shown to be in applicant's disclosure as explained above. Therefore, applicant believes with the acceptance of the drawing correction, and the portions of applicant's specification pointed out above and amended, the 112 rejection should be withdrawn along with the drawing objections.

As all of the claims standing for examination have been shown to be patentable as amended and argued over the art of record, the Examiners objections and the 112

rejection, applicant respectfully requests reconsideration, and that the present case be passed quickly to issue. If there are any time extensions needed beyond any extension specifically requested with this response, such extension of time is hereby requested. If there are any fees due beyond any fees paid with this amendment, authorization is given to deduct such fees from deposit account 50-0534.

Respectfully Submitted,
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